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**All children have the
potential to succeed.**

Barriers to Education: Out of School Suspensions and Expulsions

Roadmap

- Impact of Discipline on Access to Education
- Overview of Laws/Due Process in Discipline Cases
- Readmission Process and Advocate's Role
- System Changes and LEAP Perspective



Objectives

- Gain Perspective on Discipline Policies and Impact on Youth with Juvenile Justice Involvement
- Understand Student Rights and School Responsibilities During Suspension and Expulsion
- Learn to Spot the Issues in Discipline Matters, Analyze the Problem and Know Where to Go for Help
- Create Opportunities to Influence School Policies That Impact School Access for Youth



How Youth Experience Barriers

- New school district, old discipline
- No crime, but discipline still imposed
- Excluded from all schools in the district
- Expelled because of criminal record - or harsher punishment because of record
- No alternative in small districts
- Parents not involved, not strong advocates
- Off campus behavior leads to discipline



Why Does This Matter?

- Stakes are higher now
- Expulsion = death penalty of education
- Timelines are short
- Students and families accept the status quo
- Discipline is disproportionately applied and leads to discriminatory effect
- Very little support to help students recover and transition back



Zero Tolerance Policies

What is it?

What is the message for youth?



3 Most Important Things about School Discipline

- Students have a right to education, even if they misbehave in school.
- Students always have the right to challenge punishment and tell their side of the story.
- Students have a right to basic due process before being completely excluded from school.



Concepts in School Discipline Law

Progressive Discipline

Exceptional Misconduct

Due Process



Advocacy Tips

- Same offense?
- Proximity of prior incidents?
- Reasonably calculated to correct behavior?
- Creative arguments
 - School engagement
 - Disproportionality
 - Restorative justice



Due Process

Due Process means the student gets to tell their side of the story:

- Notice of Disciplinary Action
- Hearing before a Hearing Officer
- Evidence shared before the hearing
- Present Witnesses
- Hearing Officer Decisions in Writing
- Appeal to School Board
- Appeal to Superior Court



Issue Spotting/Frequent Barriers

- Timelines are short and stakes are high
- Notices may be confusing
- Nature and circumstances must warrant punishment
- Try other forms of corrective action
- Off campus conduct
- Limits on punishment for younger students



Tips for Advocates

- Reentry Programs
- Alternative Schools
 - Special Education
- Behavior Modification
- Readmission Contracts
- Petitions for Readmission



Petition for Readmissions

- Involve youth and family in developing the plan
- Consult with public defender if charges are pending
- Propose a PLAN
- Consider transition issues (social and academic)
- Address school's concerns for safety and other issues
- Petitions can be made ANYTIME by student



Advocacy Strategies

Persevere – kids and families lose hope

Brainstorm – who wants to work on reversing the trend?

Be Positive– building on youth's strengths. Let's help schools adopt our mission!

Organize – TeamChild can convene action meeting – will you bring youth, mentors, advocates to the table?



Resources

TeamChild, Statewide Headquarters: (206) 322-2444

WAC Ch. 392-400: explains discipline procedures

School District Policy Manuals: usually be found on the District's website

Education Advocacy Manual in pdf: www.teamchild.org

Anti Bullying Information:

<http://www.safeschoolscoalition.org/safe.html>

Advancement Project: www.advancementproject.org





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This training made possible with funding through

LEAP

Learning, Employment and Achieving Potential for Youth with
Juvenile Justice Involvement

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